

CHAPTER 60
LICENSURE OF COSMETOLOGISTS, ELECTROLOGISTS, ESTHETICIANS,
MANICURISTS, NAIL TECHNOLOGISTS, AND INSTRUCTORS
OF COSMETOLOGY ARTS AND SCIENCES

[Prior to 7/29/87, Health Department[470] Ch 149]

645—60.1(157) Definitions. For purposes of these rules, the following definitions shall apply:

“*Active license*” means a license that is current and has not expired.

“*Board*” means the board of cosmetology arts and sciences examiners.

“*Certified laser product*” means a product which is certified by a manufacturer pursuant to the requirements of 21 Code of Federal Regulations (CFR) Part 1040.

“*Chemical exfoliation*” means the removal of surface epidermal cells of the skin by using only non-medical-strength cosmetic preparations consistent with labeled instructions and as specified by rule.

“*Core curriculum*” means the basic core life sciences curriculum that is required for completion of any course of study of the cosmetology arts and sciences except for manicuring.

“*Cosmetology arts and sciences*” means any or all of the following disciplines performed with or without compensation by a licensee: cosmetology, electrology, esthetics, nail technology and manicuring.

“*Depilatory*” means an agent used for the temporary removal of superfluous hair by dissolving it at the epidermal surface.

“*Exfoliation*” means the process whereby the superficial epidermal cells are removed from the skin.

“*General supervision*” means the supervising physician is not onsite for laser procedures or use of an intense pulsed light device for hair removal conducted on minors, but is available for direct communication, either in person or by telephone, radio, radiotelephone, television, or similar means.

“*Grace period*” means the 30-day period following expiration of a license when the license is still considered to be active. In order to renew a license during the grace period, a licensee is required to pay a late fee.

“*Inactive license*” means a license that has expired because it was not renewed by the end of the grace period. The category of “inactive license” may include licenses formerly known as lapsed, inactive, delinquent, closed, or retired.

“*Intense pulsed light device*” means a device that uses incoherent light to destroy the vein of the hair bulb.

“*Laser*” means light amplification by the stimulated emission of radiation.

“*Licensee*” means any person or entity licensed to practice pursuant to Iowa Code chapter 157 and 645—Chapters 60 to 65, Iowa Administrative Code.

“*Licensure by endorsement*” means the issuance of an Iowa license to practice cosmetology to an applicant who is or has been licensed in another state for 12 months during the last 24 months.

“*Mechanical exfoliation*” means the physical removal of surface epidermal cells by means that include but are not limited to brushing machines, granulated scrubs, peel-off masques, peeling creams or drying preparations that are rubbed off, and microdermabrasion.

“*Mentor*” means a licensee providing guidance in a mentoring program.

“*Mentoring*” means a program allowing students to experience cosmetology arts and sciences in a licensed salon under the guidance of a mentor.

“*Microdermabrasion*” means mechanical exfoliation using an abrasive material or apparatus to remove surface epidermal cells with a machine which is specified by rule.

“*Minor*” means an unmarried person who is under the age of 18 years.

“*Practice discipline*” means the practice of electrology, esthetics, nail technology, manicuring or cosmetology as recognized by the board of cosmetology arts and sciences examiners.

“*Reactivate*” or “*reactivation*” means the process as outlined in rule 60.17(17A,147,272C) by which an inactive license is restored to active status.

“*Reciprocal license*” means the issuance of an Iowa license to practice cosmetology to an applicant who is currently licensed in another state and which state has a mutual agreement to license persons who have the same or similar qualifications to those required in Iowa.

“*Reinstatement*” means the process as outlined in 645—11.31(272C) by which a licensee who has had a license suspended or revoked or who has voluntarily surrendered a license may apply to have the license reinstated, with or without conditions. Once the license is reinstated, the licensee may apply for active status.

“*Testing service*” means a national testing service selected by the board.

“*Trainee*” means any person who completes the requirements listed in Iowa Code section 157.3 for licensure in the cosmetology arts and sciences, except for the examination, and who has a temporary permit.

645—60.2(157) Requirements for licensure.

60.2(1) *Requirements for a license.* An applicant for a license shall:

a. Complete a board-approved application form. Application forms may be obtained directly from the board-approved testing service. The name and address of the testing service may be obtained from the board’s Web site at www.idph.state.ia.us/licensure or by contacting the board office in the Iowa department of public health, professional licensure division. All applications shall be sent to the testing service.

b. Complete the application form according to the instructions contained in the application. If the application is not completed according to the instructions, the application will not be reviewed by the testing service. Applications shall be complete before the candidate is eligible to sit for the examination.

c. Provide the appropriate fees with application to the testing service.

d. Provide an attestation that the applicant has graduated from high school or its equivalent.

e. Present a copy of the diploma or an official transcript of grades in the practice discipline for which the applicant is requesting licensure. This shall be sent to the testing service with the application, showing completion of training at a school approved by the board of cosmetology arts and sciences examiners. If educated outside the United States, the applicant must attach an original evaluation of the applicant’s education for World Education Services (WES) or any other accredited evaluation service. An applicant may obtain an application for evaluation by contacting WES at (212)966-6311, or by writing to WES, P.O. Box 745, Old Chelsea Station, New York, New York 10113-0745. An applicant may also provide documentation by attaching a copy of acceptable GED points, a diploma or TABE scores.

f. Pass the written practical and theory examination for the particular practice discipline with a score of 75 percent or greater.

g. Pass the Iowa law (jurisprudence) examination with a score of 75 percent or greater.

60.2(2) *Requirements for an instructor’s license.* An applicant for an instructor’s license shall:

a. Submit completed application and fees to the testing service;

b. Be a graduate of an accredited high school or the equivalent thereof;

c. Be licensed in the state of Iowa in the specific practice discipline to be taught or be licensed as a cosmetologist who possesses the skill and knowledge required to instruct in that practice discipline;

d. Provide documentation of completion of 1,000 hours of instructor’s training with curriculum content to be determined by the board or two years’ active practice in the field of cosmetology within six years prior to application;

e. Submit proof of attendance at an advanced instructor’s institute prescribed by the board;

f. Pass an instructor’s and Iowa law (jurisprudence) examination; and

g. Submit proof of 60 hours of practical experience, excluding school hours, in the area of electrolysis prior to application for an instructor of electrolysis license.

60.2(3) Conditions. The following conditions apply for all cosmetology arts and sciences licenses.

- a. Candidates eligible for testing may contact the board-approved testing service to arrange a testing time.
- b. No application shall be considered until the requested supporting documents and fee have been received by the testing service.
- c. Incomplete applications that have been on file in the board office for more than two years shall be considered invalid and shall be destroyed.
- d. The licensure fee is nonrefundable.
- e. Licensees who were issued their initial licenses within six months prior to the license renewal beginning date shall not be required to renew their licenses until the renewal month two years later.

645—60.3(157) Criteria for licensure in specific practice disciplines.

60.3(1) A cosmetology license is not a requirement for an electrology, esthetics, nail technology or manicurist license.

60.3(2) Core life sciences curriculum hours shall be transferable in their entirety from one practice discipline to another practice discipline.

60.3(3) Theory hours earned in each practice discipline of cosmetology arts and sciences may be used in applying for a cosmetology license.

645—60.4(157) Practice-specific training requirements.

60.4(1) A licensed esthetician who holds a permanent license in good standing may administer microdermabrasion, a certified laser product or an intense pulsed light device after the esthetician has submitted to the board office an attestation as described in 60.4(4) on a form approved by the board and the appropriate fees as specified in 645—Chapter 62 and has received board approval.

60.4(2) A licensed cosmetologist who holds a permanent license in good standing may administer chemical peels or utilize microdermabrasion, a certified laser product or an intense pulsed light device or after the cosmetologist has submitted to the board office an attestation as described in 60.4(4) on a form approved by the board and the appropriate fees as specified in 645—Chapter 62 and has received board approval. A cosmetologist who receives an initial license in Iowa after July 1, 2005, shall not provide chemical peels, practice microdermabrasion procedures or use certified laser products or an intense pulsed light device.

60.4(3) A licensed electrologist who holds a permanent license in good standing may utilize a certified laser product or an intense pulsed light device for the purpose of hair removal after the electrologist has submitted to the board office an attestation as described in 60.4(4) on a form approved by the board and the appropriate fees as specified in 645—Chapter 62 and has received board approval.

60.4(4) The attestation required in subrules 60.4(1), 60.4(2) and 60.4(3) shall include evidence of training and certification specific to each procedure or device to be used. A licensee who includes utilization of a certified laser product or an intense pulsed light device in the attestation shall provide evidence that the licensee's laser product or intense pulsed light device training received included a safety training component which provided a thorough understanding of the procedures being performed. The training program shall address fundamentals of nonbeam hazards, management and employee responsibilities relating to control measures, and regulatory requirements.

60.4(5) The board shall approve a licensee to provide services or utilize a certified laser product or an intense pulsed light device as specified in the attestation and application required by this rule upon board determination that a licensee has submitted a completed application as required by subrule 60.4(1), 60.4(2) or 60.4(3), provided appropriate evidence supporting the licensee's training and certification in the attestation, and submitted applicable fees. The applicant shall receive a certification card following board approval. The certification card and the license to practice cosmetology arts and sciences shall be displayed together in a conspicuous public place at the licensee's primary site of practice.

60.4(6) A licensee who has an attestation on file with the board and who continues to utilize the procedure or device specified in the attestation shall meet the requirements of 645—Chapter 64 at the time of license renewal. A minimum of one hour of continuing education in the area of each procedure or device for which the licensee has received board certification shall be required beginning May 1, 2006. Continuing education credit in the area of the procedure or device is in addition to the hours of continuing education required for renewal of the license.

60.4(7) A licensed cosmetologist, esthetician, or electrologist who provides services related to the use of a certified laser product, intense pulsed light device, chemical peel, or microdermabrasion shall submit a report to the board within 30 days of any incident in which provision of such services resulted in physical injury requiring medical attention. Failure to comply with this requirement shall result in disciplinary action by the board.

The report shall include the following:

- a. Description of procedures;
- b. Description of the physical condition of client;
- c. Description of the adverse occurrence, including:
 - (1) Symptoms of any complications including, but not limited to, onset and type of symptoms;
 - (2) Description of the services provided that caused the situation;
 - (3) Description of the procedure that was followed by the licensee;
- d. Description of the client's condition on termination of any procedures undertaken;
- e. If a client is referred to a physician, a statement providing where and to whom if known;
- f. Copy of consent form.

60.4(8) Failure to report. Failure to comply with subrule 60.4(7) when the adverse occurrence is related to the use of any procedure or device noted in the attestation may result in the licensee's loss of authorization to administer the procedure or device noted in the attestation or may result in other sanctions provided by law.

60.4(9) Failure to comply with this rule is grounds for discipline.

645—60.5(157) Licensure restrictions relating to practice.

60.5(1) A certified laser product or an intense pulsed light device shall only be used on surface epidermal layers of the skin except for hair removal.

60.5(2) A laser hair removal product or an intense pulsed light device shall not be used on a minor unless the minor is accompanied by a parent or guardian and then shall be used only under general supervision of a physician.

60.5(3) Persons licensed under Iowa Code chapter 157 shall not administer any practice of removing skin by means of a razor-edged instrument.

60.5(4) With the exception of hair removal, manicuring, and nail technology services, persons licensed under Iowa Code chapter 157 shall not administer any procedure in which human tissue is cut, shaped, vaporized, or otherwise structurally altered. Manicurists and nail technologists may only cut the cuticle.

645—60.6(157) Consent and reporting requirements. A licensed esthetician, cosmetologist, or electrologist, prior to providing services relating to a certified laser product, intense pulsed light device, chemical peel, or microdermabrasion, shall obtain from a client a consent form that:

1. Specifies in general terms the nature and purpose of the procedure(s);
2. Lists known risks associated with the procedure(s) if reasonably determinable;
3. States an acknowledgment that disclosure of information has been made and that questions asked about the procedure(s) have been satisfactorily answered;
4. Includes a signature of either the client for whom the procedure is performed or, if that client for any reason lacks legal capacity to consent, includes the signature of a person who has legal authority to consent on behalf of that client in those circumstances.

645—60.7(157) Licensure by endorsement. The board may receive by endorsement any applicant from the District of Columbia or another state, territory, province or foreign country who:

1. Submits to the testing service a completed application and appropriate fee;
2. Provides verification of license(s) from every jurisdiction in which the applicant has been licensed, sent directly from the jurisdiction(s) to the board office. Verifications of current licensure in the practice discipline in another state for at least 12 months in the 24-month period preceding the submission of the application must be sent from each state, territory, province or foreign country or the District of Columbia. Web-based verification may be substituted for verification direct from the jurisdiction's board office if the verification provides:
 - Licensee's name;
 - Date of initial licensure;
 - Current licensure status; and
 - Any disciplinary action taken against the license.
3. Submits a copy of the passing score on the examinations of the board-approved testing service; and
4. Passes the Iowa law (jurisprudence) examination with a passing score of 75 percent or greater.

645—60.8(157) License renewal.

60.8(1) The biennial license renewal period for a license to practice cosmetology arts and sciences shall begin on April 1 of one year and end on March 31 two years later. All licensees shall renew on a biennial basis. The board shall send a renewal notice by regular mail to each licensee at the address on record at least 60 days prior to the expiration of the license. The licensee is responsible for renewing the license prior to its expiration. Failure of the licensee to receive the notice does not relieve the licensee of the responsibility for renewing the license.

60.8(2) An individual who was issued a license within six months of the license renewal date will not be required to renew the license until the subsequent renewal two years later.

60.8(3) A licensee seeking renewal shall:

- a. Meet the continuing education requirements of rule 645—64.2(157). A licensee whose license was reactivated during the current renewal compliance period may use continuing education credit earned during the compliance period for the first renewal following reactivation; and
- b. Submit the completed renewal application and renewal fee before the license expiration date.
- c. Licensees currently licensed in Iowa but practicing exclusively in another state may comply with Iowa continuing education requirements for license renewal by meeting the continuing education requirements of the state where the licensee practices. Those licensees living and practicing exclusively in a state which has no continuing education requirement for renewal of a license shall not be required to meet Iowa's continuing education requirement but shall pay all renewal fees when due.

60.8(4) Upon receiving the information required by this rule and the required fee, board staff shall administratively issue a two-year license and shall send the licensee a wallet card by regular mail. In the event the board receives adverse information on the renewal application, the board shall issue the renewal license but may refer the adverse information for further consideration or disciplinary investigation.

60.8(5) Late renewal. The license shall become late when the license has not been renewed by the expiration date on the wallet card. The licensee shall be assessed a late fee as specified in 645—subrule 62.1(3). To renew a late license, the licensee shall complete the renewal requirements and submit the late fee within the grace period.

60.8(6) Inactive license. A licensee who fails to renew the license by the end of the grace period has an inactive license. A licensee whose license is inactive continues to hold the privilege of licensure in Iowa, but may not practice cosmetology arts and sciences in Iowa until the license is reactivated. A licensee who practices cosmetology arts and sciences in the state of Iowa with an inactive license may be subject to disciplinary action by the board, injunctive action pursuant to Iowa Code section 147.83, criminal sanctions pursuant to Iowa Code section 147.86, and other available legal remedies.

60.8(7) Those persons licensed for the first time shall not be required to complete continuing education as a prerequisite for the first renewal of their licenses. Continuing education hours acquired anytime from the initial licensing until the second license renewal may be used.

645—60.9(157) Temporary permits.

60.9(1) *Temporary permits to practice cosmetology arts and sciences.* An applicant who is applying for initial licensure and who has never been licensed in another state and who has met the requirements for licensure except for the written examinations may apply for a temporary permit to practice cosmetology arts and sciences. The temporary permit shall be valid for a maximum of 60 days from the date of issuance. The temporary permit holder shall practice under direct supervision of a licensee. After 60 days, the temporary permit shall be invalid and the person may not practice cosmetology arts and sciences. The temporary permit shall be revoked if an applicant fails the written practical and theory examination twice. The applicant shall submit the temporary permit to the testing service before the applicant sits for another examination.

60.9(2) *Temporary permit for demonstration or not-for-profit events.* The board may issue a temporary permit for the purpose of demonstrating cosmetology arts and sciences services to the consuming public or for providing cosmetology arts and sciences services to the consuming public at not-for-profit events.

a. The permit shall be valid for (name of a specific event) for a salon, school, or person. The location, purpose and duration of the permit shall be stated on the permit.

b. The permit shall be valid for no more than 10 days.

c. A completed application shall be submitted on a form provided by the board at least 30 days in advance of the intended use date(s).

d. An application fee shall be submitted as set forth in these rules.

e. No more than four permits shall be issued to any applicant during a calendar year.

f. For not-for-profit events, individuals providing services must hold a current license provided by the board pursuant to rule 60.2(157).

645—60.10(157) Demonstrator's permit. Rescinded IAB 11/23/05, effective 12/28/05.

645—60.11(157) License renewal. Rescinded IAB 11/23/05, effective 12/28/05.

645—60.12(147) Reissued certificate or wallet card. The board shall reissue a certificate or current wallet card upon receipt of a written request from the licensee, return of the original document and payment of the fee as specified in rule 645—62.1(147,157).

645—60.13(272C) Exemptions for inactive practitioners. Rescinded IAB 8/31/05, effective 10/5/05.

645—60.14(272C) Lapsed licenses. Rescinded IAB 8/31/05, effective 10/5/05.

645—60.15(147) Duplicate certificate or wallet card.

60.15(1) A duplicate wallet card or duplicate certificate shall be required if the current wallet card or certificate is lost, stolen or destroyed. A duplicate wallet card or duplicate certificate shall only be issued under such circumstances.

60.15(2) A duplicate wallet card or certificate shall be issued upon receipt of a completed application and receipt of the fee as specified in 645—subrule 62.1(5).

60.15(3) If the board receives a completed application stating that the licensee has not received the wallet card or certificate within 60 days after being mailed by the board, no fee shall be required for issuing the duplicate wallet card or duplicate certificate.

645—60.16(272C) License denial.

60.16(1) When the board denies an applicant licensure, the board shall notify the applicant of the denial in writing, by certified mail, return receipt requested, or in the manner of service of an original notice, and shall cite the reasons for which the application was denied.

60.16(2) An applicant who has been denied licensure by the board may appeal the denial and request a hearing on the issues related to the licensure denial by serving a written notice of appeal and request for hearing upon the board by certified mail, return receipt requested, not more than 30 days following the date of mailing of the notification of licensure denial to the applicant. The request for hearing shall specifically describe the facts to be contested and determined at the hearing.

60.16(3) If an applicant who has been denied licensure by the board appeals the licensure denial and requests a hearing pursuant to this rule, the hearing and subsequent procedures shall be held pursuant to the process outlined in Iowa Code chapters 17A and 272C and 645—Chapter 11.

645—60.17(17A,147,272C) License reactivation. To apply for reactivation of an inactive license, a licensee shall:

60.17(1) Submit a reactivation application on a form provided by the board.

60.17(2) Pay the reactivation fee that is due as specified in rule 645—62.1(147,157).

60.17(3) Provide verification of current competence to practice cosmetology arts and sciences by satisfying one of the following criteria:

a. If the license has been on inactive status for five years or less, an applicant must provide the following:

(1) Verification of the license(s) from every jurisdiction in which the applicant is or has been licensed and is or has been practicing during the time period the Iowa license was inactive, sent directly from the jurisdiction(s) to the board office. Web-based verification may be substituted for verification from a jurisdiction's board office if the verification includes:

1. Licensee's name;
2. Date of initial licensure;
3. Current licensure status; and
4. Any disciplinary action taken against the license; and

(2) Verification of completion of 12 hours of continuing education within two years of application for reactivation.

b. If the license has been on inactive status for more than five years, an applicant must provide the following:

(1) Verification of the license(s) from every jurisdiction in which the applicant is or has been licensed and is or has been practicing during the time period the Iowa license was inactive, sent directly from the jurisdiction(s) to the board office. Web-based verification may be substituted for verification from a jurisdiction's board office if the verification includes:

1. Licensee's name;
2. Date of initial licensure;
3. Current licensure status; and

4. Any disciplinary action taken against the license; and
- (2) Verification of completion of 24 hours of continuing education within two years of application for reactivation; and
- (3) Verification of passing the Iowa law (jurisprudence) examination with a score of 75 percent or greater within two years of application for reactivation.

60.17(4) Licensees who are instructors of cosmetology arts and sciences shall obtain an additional 8 hours of continuing education in teaching methodology.

645—60.18(17A,147,272C) License reinstatement. A licensee whose license has been revoked, suspended, or voluntarily surrendered must apply for and receive reinstatement of the license in accordance with 645—11.31(272C) and must apply for and be granted reactivation of the license in accordance with 60.17(17A,147,272C) prior to practicing cosmetology arts and sciences in this state.

These rules are intended to implement Iowa Code chapters 272C and 157.

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